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NEW YORK UNIVERSITY • DONALD N. STERN SCHOOL OF BUSINESS

The Donald N. Stern School of Business

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Honor Code

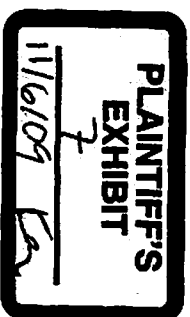
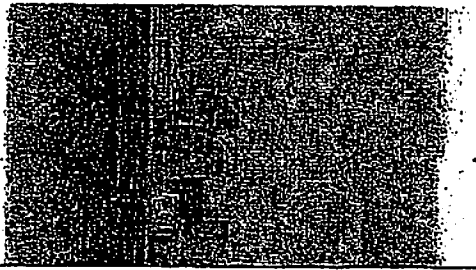
I will not lie, cheat or steal to gain an academic advantage, or tolerate those who do.

The Stern community believes that honesty and integrity are qualities necessary for rewarding academic and professional experiences. These qualities form the basis for the strong trust among all members of the academic community (students, faculty, and administrators) that is essential for excellence in education. The purpose of the Honor Code is therefore to express a commitment to promote principles of honesty, integrity and trust among Stern students. Therefore, prior to entering the program, each student is asked to commit to the principles of this Honor Code and, by signing the Honor Code, agrees to abide by the Code.

The Honor Code requires that each student act with integrity in all academic activities and that each student endeavors to hold his or her peers to the same standard.

Violations of the Honor Code include:

- Lying - Lying includes knowingly communicating an untruth in order to gain an unfair academic advantage or neglecting to divulge information when under the circumstances a person of integrity would be expected to disclose the matter.
- Cheating - Cheating includes using unauthorized materials to complete an assignment; copying the work of another student, or representing another's work as one's own work



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(plagiarism); falsifying one's identity by having another person take an exam; unauthorized providing of materials or information to others during exams; and any other activity which gives a student an unfair academic advantage. All communications, written, oral or otherwise, among students during examinations, are forbidden, as is the use of notes, books, calculators or other written material except when approved by the instructor.

- **Stealing** - Students are required to submit their own work. Ideas, data, direct quotations, paraphrasing, or any other incorporation of the work of others must be clearly referenced. To do otherwise constitutes plagiarism, which is using the work of another without giving proper credit.

This list is not inclusive, and is included for illustrative purposes.

Upon witnessing a violation of the Honor Code, a student has a moral obligation to inform the student whose conduct is believed to be in violation of the Code that the Code has been violated. Each member of the Stern community, as a person of integrity, has a personal obligation to adhere to this requirement. The student also has the right to inform a member of the faculty, and/or may submit a written complaint to the MBA Judiciary Committee.

Violations of this agreement to be governed by the Honor Code are viewed as serious matters that are subject to disciplinary sanctions imposed by the MBA Judiciary Committee of the Stern School, which is comprised of five MBA students and two faculty.

Code of Conduct

Students are expected in all of their actions to reflect personal honesty, integrity and respect for others. Moreover, as members of a distinctively academic community, Stern students must adhere to the norms of a serious intellectual community.

More particularly, a Stern student's responsibilities include:

- a duty to respect the integrity of all members of the Stern community by avoiding all forms of force, violence or intimidation, including sexual harassment;
- a duty to respect the property and rights of others; and
- a duty to respect and preserve the quality of academic facilities.

Respect for Others

Students have an obligation to maintain a learning and community environment that is humane, fair, and responsible.

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This includes behavior that is consistent with equal treatment without regard to age, citizenship status, color, disability, marital or parental status, national origin, sex or sexual orientation, race, or religion. Conduct that interferes with the rights of another or creates an atmosphere of intimidation or disrespect is inconsistent with the environment of learning and cooperation that the School requires. Sexual harassment, which includes all types of inappropriate sexual advances, verbal or physical, will not be tolerated.

Academic Facilities

Students have a responsibility to preserve the quality of classrooms and public space. This responsibility extends, for example, to such things as disposal of one's food and trash, to reporting problems to the building maintenance manager, to maintenance of appropriate level of noise in study areas, and to notification to appropriate security personnel of suspicious persons in the facility.

Computer Facilities

Access to Stern computing and networking resources, including hardware, software, computer-based files and data, the Stern network and other networks reached via Stern facilities, is limited to authorized users and is for approved purposes only. The copying of software, the unauthorized installation of software, and the unauthorized reconfiguration of systems are forbidden by School policy. Such activity would therefore constitute an example of failure to respect the property and rights of others and is expressly forbidden under this Code.

Each student is expected to use Stern's computing resources in an ethical and legal manner and has the following responsibilities:

- a duty to preserve the quality and cleanliness of computing and networking facilities;
- a duty to utilize the computing resources for the sole purpose of facilitating his or her work as a Stern student;
- a duty to respect the privacy and reasonable preferences of other users, including the privacy of their accounts and data and any confidential or privileged information to which the student may have access; and
- a duty to maintain the integrity and security of the systems and network, including the safeguarding of passwords, codes and other privileged information.

Library

Circulating library material may be borrowed upon presentation of the student's own valid NYU Photo ID.

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Non-circulating material, e.g., magazines, journals and reference items, may not leave the library under any circumstances. Stealing or vandalizing library materials is forbidden, as is mutilating and pilfering library materials.

In addition, students are expected to be familiar with and abide by the "Statement of Policy on Student Conduct at New York University," which sets down basic rules and covers issues of academic freedom, speaker demonstrations and invitations, and use of University facilities. University Rules and Regulations cover the policy on affirmative action, equal opportunity, and compliance with the Family Educational Rights and Privacy Act (PL 93-380). A copy of the Rules and Regulations is in the NYU Student Handbook. Failure to abide by these rules may result in referral to the Dean of Students of the Stern School and/or local law enforcement authorities. Conduct that violates the Code may be subject to both School or University discipline and/or public sanctions as circumstances may warrant. I affirm that I have read and understand the above.

Members

Students

Chair: Tim Colvin (MBA2)

Vice Chair: Amy Margolis (MBA2)

David Goldfarb (MBA 2)

Daniel Schapira (MBA 2)

Swaroop Reddy (MBA 2)

Brad Doyle (MBA 1)

Debraj Ghosh (MBA 1)

Mel Ochoa (MBA 1)

Jamila Williams (MBA 1)

Catherine Zhang (MBA 1)

Frank Angelo (MBA PT)

Alex Chae (MBA PT)

Tara Teaford (MBA PT)

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Faculty

Aaron Tenenbein
Bill Allen
Bruce Buchanan
Rachel Kowel

Advisor

Gary Fraser

Policies & Procedures

Student Disciplinary Rules

(Revised Spring 2001)

1. Authority:

Student discipline is the responsibility of the faculty of the Stern School of Business (hereinafter the School). In the exercise of this authority, the faculty hereby delegates its authority to the MBA Judiciary Committee of the Stern School of Business (hereinafter the Committee) at New York University (hereinafter the University) acting pursuant to rules and regulations hereby prescribed, or as subsequently amended. Nothing herein prescribed, however, shall prevent the Dean of the School, or in the absence of the Dean, the Vice-Dean responsible for the graduate programs, from summarily suspending a student for reasons relating to his or her physical or emotional safety and well-being, the safety and well-being of students, faculty, staff, or University property, the maintenance of public order, or the effective continuation of the education process. The student has the right for a fair and timely hearing in accordance with these rules.

2. Jurisdiction:

The Committee has jurisdiction over disciplinary matters involving matriculated and continuing MBA students (hereinafter MBA Students) in the full-time or part-time MBA Programs (hereinafter MBA Programs) of the Stern School of Business. This jurisdiction may include, without limitation, the following:

- I. Violations of the MBA Code of Conduct & Honor Code of the Stern School of Business and the MBA Program.
- II. Violations of University Policies and Procedures and Student Disciplinary Procedures within The Student's Guide to NYU.
- III. Violations of federal, state or local laws.

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Disciplinary violations may include, without limitation, the following:

- a. Cheating, plagiarism, or forgery of academic documents,
- b. Disruption of premises,
- c. Violations of rules and policies related to the use of computer resources,
- d. Interference with access to academic facilities or offices,
- e. Physical or other interference, or harassment of others,
- f. Violations while participating on school sponsored events and school recognized activities both on and off campus.

If there are questions of jurisdiction in any particular case, they shall be referred for decision to the Office of Legal Counsel of the University.

3. Membership of the Committee:

a. The Committee membership will be comprised of up to fifteen MBA student members. The Committee will be comprised of up to five second year MBA Students, five first year MBA Students, and five part-time MBA Students. The Committee members are to be appointed by the Chair and the Dean of Students from among the currently enrolled MBA students. MBA students intending to seek membership shall submit their application at the beginning of the academic year. Committee members will serve one-year terms, either from September to September or until graduation, whichever comes first. MBA student members shall be eligible for reappointment at the expiration of their one-year terms. If insufficient applications are submitted for Committee membership, these positions will be filled at the discretion of the Chair.

b. The Committee membership will be no more than thirteen MBA student members. The Committee will be comprised of the Chair, five second year MBA Students, five first year MBA Students, and two part-time MBA Students. The Committee members are to be appointed by the Chair and the Dean of Students from among the currently enrolled MBA students. MBA students intending to seek membership shall submit their application at the beginning of the academic year. Committee members will serve one-year terms, either from September to September or until graduation, whichever comes first. MBA student members shall be eligible for reappointment at the expiration of their one-year terms. If insufficient applications are submitted for Committee membership, these positions will be filled at the discretion of the Chair.

c. The Chair will be a student elected from the MBA Students during the annual SCORP elections.

d. The Chair under advisement of the Dean of Students will appoint the Vice-Chair of the Committee. Eligible Vice-Chair candidates include any student member of the Committee. The Chair will request

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from the Committee members their written intention to seek the Vice-Chair position at the beginning of the academic year. The Vice-Chair will function as the Chair as appointed by, or in the absence of, the Chair.

e. In situations regarding Committee membership not covered as described above, the remaining Committee will have discretion to make decisions based on a majority vote.

4. Procedure:

a. Any member of the faculty, administration or staff, or any student, may file with the Committee a complaint against an MBA student (hereinafter Accused) alleging a Violation (hereinafter Violation) in accordance with section 2. The Complaint (hereinafter Complaint) must be in writing and signed by the Complainant (hereinafter Complainant), setting forth briefly the nature of the alleged disciplinary infraction and the nature of the evidence. A copy of the Complaint will also be sent to the office of the Dean of Students or the Vice-Dean responsible for the MBA programs.

b. Upon receipt of a Complaint, the Chair shall select an Investigative Committee (hereinafter Investigative Committee) comprised of two student Committee members within two academic days. The role of the Investigative Committee is that of fact finding and recommending further action as necessary. The Investigative Committee shall submit its written report within seven academic days. If the Chair or any member of the Investigative Committee suspects a Violation, the Complaint is assigned as a Case (hereinafter Case) for further action.

c. If the Investigative Committee and the Chair concludes there is not sufficient evidence to suspect a Violation, the Complainant and the Accused shall be notified immediately and the Complaint will be dismissed.

d. If the Investigative Committee or the Chair concludes there is sufficient evidence to suspect a Violation, the Chair will notify the Complainant and the Accused.

e. For the Case, the Chair will form a Hearing Panel (hereinafter Hearing Panel) comprised of a fair representation of the Chair, two faculty Committee members, two student Committee members, and two randomly selected, currently enrolled MBA Students. The Chair will notify the chosen Hearing Panel members and will instruct them as how to proceed.

f. The Chair shall instruct the Hearing Panel of the confidentiality of such proceedings and have each member of the Hearing Panel sign the Confidentiality Declaration.

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5. Hearings:

- a. To constitute a valid disciplinary hearing, the Hearing Panel must contain a quorum of one faculty member, in addition to the presiding Chair, and three student members all of whom are present during the entire hearing.
- b. The Chair will prepare the Case for presentation to the Hearing Panel and invite all requested witnesses to attend the hearing. Where the Accused requests that witnesses be summoned on his or her behalf, the student must furnish the Chair with the names of the witnesses in sufficient time for the Chair to request the presence of such witnesses. It is within the Hearing Panel's discretion to limit the number of witnesses appearing at the hearing to a reasonable number.
- c. The Chair shall administer the proceedings and conduct of the hearing.
- d. At the commencement of the hearing, the Chair shall read the charge(s) in the presence of the Accused and the Hearing Panel, and request the Accused for a plea of guilty or not guilty.
- e. The hearing shall not be governed by formal rules of evidence. Statements or documents that are considered inadmissible evidence in a judicial proceeding may be admitted as evidence.
- f. The Chair will maintain order during witness questioning and cross-examination. The Chair has the right to object to questions that are irrelevant or considered asked and answered.
- g. Hearing Panel deliberations will begin in closed session immediately after the conclusion of the hearing. The Hearing Panel will agree on a verdict and recommended sanction.
- h. The Accused is presumed innocent until proven guilty by standard of beyond a reasonable doubt.
- i. Each Hearing Panel member has one vote. A majority vote of the Hearing Panel shall constitute a valid decision. The Chair only cast a vote in the case of a tie vote among the Hearing Panel members.
- j. A formal record of all official hearings shall be made.
- k. The Chair shall, as soon after the hearing as possible, prepare minutes of the

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hearing including:

- i. Date, place and time of the hearing,
 - ii. The names of all persons present at the hearing,
 - iii. A short statement of the charge against the Student,
 - iv. Confirmation that the Student was notified of the allegations and given an opportunity to respond,
 - v. A summary of the findings of fact and conclusions made by the Hearing Panel,
 - vi. A statement of the decision of the Hearing Panel,
 - vii. The sanction recommended by the Hearing Panel.
- l. The Chair shall promptly inform the Dean of the School of the Hearing Panel's verdict and recommended sanction.
- m. The Dean of the School has the right to accept, modify, or reject the Hearing Panel's verdict and recommended sanction. The Dean shall inform the Accused of the decision and all appropriate notations will be included in the Accused's student record.

6. Rights and Obligations of the Accused:

- a. The Accused is presumed innocent until found guilty according to these Student Disciplinary Rules.
- b. The Accused has the right to be informed in writing of the charges against him or her and the identity of the Complainant.
- c. The Accused will receive a copy of the Investigative Committee's written report no later than three academic days prior to the hearing.
- d. The Accused has the right to be present during all witness testimony and the right to challenge witness testimony as appropriate. The Accused may directly question a witness, or request specific questioning by the Hearing Panel of a witness, as to any testimony or evidence brought forth in the hearing of the Case.
- e. The Accused has the right to have the Chair request the presence of a reasonable number of witnesses on his or her behalf. A witness' failure to comply with the Hearing Panel's request for attendance to provide testimony during the hearing may constitute a violation of the MBA Honor Code.
- f. The Complainant and all witnesses must be available for testimony throughout the

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course of the hearing.

g. The Accused may consult with an adviser of his or her own choosing to assist in the preparation of the Accused's defense. Members of the Committee, any Dean, and the Director of Student Services shall not be eligible to serve as an adviser to the Accused under this section.

h. Notwithstanding section g. above, the Accused has the right to ask the Chair to appoint a Committee member to serve as pre-hearing counsel to the Accused solely on issues related to the judicial rules and process.

i. The Accused is invited, but not obligated, to submit to the Chair his or her written statement regarding the charges, documents, or any other information relevant to the case, no later than two academic days prior to the hearing date.

j. The Accused has the right, but not the obligation, to testify at the hearing. The Accused's decision not to testify will not presume guilt upon the Accused.

7. Appeals:

a. A decision of the Hearing Panel may be appealed only for the following reasons:

- i. Any evidence of a material nature and/or witness unavailable at the time of the original hearing and now available which might have affected the Hearing Panel's decision at that time.
- ii. Any procedural irregularity in the conduct of the hearing that was material and prejudicial to the Student

b. Any MBA Student found guilty can appeal the decision of the Dean of the School within thirty days.

c. Such appeal must be presented in writing directly to the Dean of the School.

8. Disciplinary Sanctions:

a. The Hearing Panel's recommendation may include any one or more of the following disciplinary sanctions:

- i. Warning - Notice to the Student, orally or in writing, that continuation or

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repetition of the conduct found wrongful, or participation in similar conduct, within a period of time stated in the warning, shall be a cause for disciplinary action.

ii. Censure - Written reprimand for violation of a specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for another violation of a University regulation within a period of time stated in the reprimand.

iii. Academic - Grade adjustment, including failure, on any work or course. This may include or may not include permanent student record notation.

iv. Disciplinary Probation- Exclusion from participation in privileges or extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time. Notification that a more severe disciplinary sanction may be imposed if the student commits a second disciplinary offense while on disciplinary probation.

v. Monetary Fines- For any offenses as determined by the Committee.

vi. Suspension - Exclusion from classes and other privileges or extracurricular activities as set forth in the notice of suspension for a definite period of time.

vii. Dismissal - Termination of student status for an indefinite period. The panel, in the order of dismissal, if any permitted, shall state the conditions for readmission. viii. Expulsion - Permanent termination of a student's status.

b. An MBA Student who has been suspended, dismissed, or expelled, and who is subsequently found to have not committed a disciplinary infraction by the Dean of Students shall be allowed full opportunity to make up whatever course work was missed due to the suspension, dismissal, or expulsion.

9. Record Keeping:

a. The Chair shall maintain all records and files of all disciplinary Cases and proceedings in a confidential manner. All such records will be secured in the Office of the Dean of Students until such required retention time expires, as recommended by the Office of Legal Counsel of the University.

10. Amendments to Student Disciplinary Rules:

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a. These Policies and Procedures represent the founding principles of the School's MBA Judiciary Committee. In such cases where events within the Committee's jurisdiction are not represented under the auspices of this document, the Committee can enact appropriate changes with a three-fourths Committee membership vote. Any and all changes are subject to subsequent faculty vote at the next faculty meeting.

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